

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**IN RE:**

**Chapter : 11  
Case No.: 08-31737**

**HENRY WILLIAMS, JR.**

**SSN: xxx-xx-7808**

**Debtor.**

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**RESPONSE TO MOTION FOR RELIEF FROM STAY**

The Debtor, through undersigned counsel, responding to the Motion for Relief from Stay filed herein by Nissan Motor Acceptance Corporation says:

1. The Debtor filed a Chapter 11 on August 18, 2008.
2. Included among the debts of the bankruptcy estate was a debt to Nissan Motor Acceptance Corporation
3. Undersigned counsel has contacted the Debtor but has not discussed said matter as of this date. Counsel is responding in accordance with Local Bankruptcy Rule 2.

WHEREFORE, having fully answered the Motion of the Creditor, the Debtor prays that:

1. A preliminary hearing be conducted on said Motion for Relief from Stay filed herein to allow the Debtor the opportunity to adequately respond thereto.
2. The Automatic Stay provisions of 11 U.S.C. Section 362 remain in full force and effect.

Dated: \_\_\_\_\_

\_\_\_\_\_  
David R. Badger  
Attorney for Debtor  
N.C. State Bar #156  
DAVID R. BADGER, P.A.  
2108 South Boulevard  
Suite 118, Atherton Lofts  
Charlotte, North Carolina 28203  
Telephone: (704) 375-8875  
Facsimile: (704) 375-8835

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**CERTIFICATE OF SERVICE**

The undersigned certifies that he has this date served a copy of the **Response to Motion for Relief from Stay** on all parties listed below by depositing same with the United States Postal Service, postage pre-paid and addressed as follows:

Henry Williams, Jr.  
18137 Sunset Cove Lane  
Cornelius, North Carolina 28031

Christopher Lewis White  
P. O. Box 31428  
Raleigh, NC 27622

The undersigned further certifies that he has this date served a copy of the **Response to Motion for Relief from Stay** on all parties listed below by electronic case filing:

Bankruptcy Administrator

Dated: \_\_\_\_\_

\_\_\_\_\_  
David R. Badger  
Attorney for the Debtor(s)  
N.C. State Bar #156  
DAVID R. BADGER, P.A.  
2108 South Boulevard  
Suite 118 Atherton Lofts  
Charlotte, North Carolina 28203  
Telephone No.: (704) 375-8875

**David R. Badger, P.A.**  
**Attorney at Law**  
**2108 South Boulevard**  
**Suite 118 Atherton Lofts**  
**Charlotte, North Carolina 28203**

**Board Certified Specialist**  
**In Bankruptcy by N.C. State Bar**  
**and by American Bankruptcy**  
**Board of Certification (Business)**

**Telephone (704) 375-8875**  
**Facsimile (704) 375-8835**

September 26, 2008

Henry Williams, Jr.  
18137 Sunset Cove Lane  
Cornelius, North Carolina 28031

**Re: Motion for Relief from Stay filed by Nissan Motor Acceptance Corporation**

Dear Henry:

You should have previously received the Motion for Relief from Stay, Notice of Hearing filed due to your alleged failure to make post-petition payments directly from counsel for your mortgage company named above.

The Notice of Motion required a response be filed within 15 days. I have filed the enclosed Response to Motion for Relief from Stay on your behalf as required by Local Bankruptcy Rule 2.

**PLEASE CONTACT OUR OFFICE IMMEDIATELY REGARDING YOUR INTENTIONS WITH REGARD TO THE PROPERTY.**

Please take notice of your hearing date on **Wednesday, October 15 at 9:30 a.m.**

If you desire to retain this property, please have financial information available in order that we may attempt to work out terms to cure this post-petition default. If you wish to surrender the property, please advise us immediately to minimize inconvenience and expense.

Enclosed herewith please find a form for your use in complying proof of all post-petition payments. Normally your direct payments to the creditor begin on the month following the filing date shown on the form. Please complete the information and return to my office within fifteen (15) days so the matter will not be further delayed.

Sincerely,

David R. Badger

DRB/jmw

Enclosures

## CHAPTER 11 PAYMENT SUMMARY

DEBTORS: Henry Williams, Jr.

DATE OF FILING: August 18, 2008

CASE #: 08-31737

[illegible]